

DETAILED ACTION

Status of Claims

Claims **1-2** and **4-10** remain pending and are again presented for examination.

Response to Arguments

1. Applicant's arguments filed 20 February 2008, with respect to 35 U.S.C. 112, first paragraph, rejection have been fully considered and are persuasive. The rejection of claim 1 has been withdrawn.
2. Applicant's amendments to the drawings filed 20 February 2008 have been fully considered and are therefore withdrawn.
3. Applicant argues that the request of status information in Bilibin uses the carrier's tracking number. However, Examiner notes that Bilibin discloses two types of tracking numbers are used to track packages, carrier and system tracking numbers (0412). If a user enters a system tracking number, then the system extracts the carrier's tracking number and carrier's ID from the package record retrieved from the system database before issuing a request (0435). Thus, a user can just enter the system's tracking number and not the carrier's tracking number, the System then determines the associated carrier tracking number to retrieve status information concerning the particular package.
4. Applicant argues Bilibin does not teach that the carrier performs the linkage and in fact requires such linkage to be done prior to delivery into the carrier system since the shipping label with the carrier tracking number must be generated and applied to the mailpiece upon delivery to the carrier. However, Examiner notes that Bilibin discloses each carrier assigns each package a

tracking number that uniquely identifies each package and which is used to trace packages as the package moves through the particular carrier's system to the package's destination (0413). Thus, Bilibin suggests the carrier assigning each package a carrier tracking number. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

5. Examiner notes that the analysis of Claim 5 states that if the prior art structure is capable of performing the intended use, then it meets the claim. Further, the system tracking number in Bilibin discloses wherein the system assigns the package a system tracking number and adds a record containing all of the pertinent information about the package to the system database, where pertinent information is taken to include address information (0416).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims **1-2, 4-5 and 9-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilibin et al., Pub. No. US2005/0197892 A1 hereinafter referred to as Bilibin.

As per **Claims 1-2**, Bilibin discloses a method comprising:

- inducing the mail item into the carrier distribution system, the mail item having thereon a unique sender generated identifier (0416, also see Figure 56-58);
- the carrier tracking the location of the mail item through the carrier distribution system using the unique carrier generated identifier (0436, 0449);
- allowing the sender to obtain location information about the mail item using the unique sender generated identifier by receiving at the carrier distribution system a request from the sender for location information about the mail item, the request including the unique sender generated identifier but not the unique carrier generated identifier (0435-0436).

Bilibin fails to *explicitly* disclose obtaining the unique sender generated identifier from the mail item during processing of the mail item in the carrier distribution system; assigning a unique carrier generated identifier to the mail item during processing of the mail item in the carrier distribution system; associating the unique sender generated identifier with the unique carrier generated identifier during processing of the mail item in the carrier distribution system; without the sender having knowledge of the unique sender generated identifier.

However, Bilibin discloses after the seller has completed printing the label the seller must give the package to the carrier so that it can be delivered via the carrier (0401). Each carrier assigns each package a tracking number that uniquely identifies each package and which is used to trace packages as the package moves through the particular Carrier's system to the package's destination. A system tracking number is a unique number generated internally by the system to identify a particular package shipped using the system. Each system tracking number

corresponds to exactly one carrier-specific tracking number (0413-0414, 0423, 450). Further, Bilibin discloses allowing a user to enter either a system (sender) tracking number or a carrier tracking number (0435-0436, 0450), therefore a sender does not need to know the carrier tracking number to determine the location information of the package. Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Bilibin to obtain and associate the sender and carrier identifiers during mail processing seeing as the carrier in Bilibin assigns the tracking number in order to track and trace the package when the package is picked up by the carrier, because it allows the carrier to use their own identifier to track and trace the sender's package throughout the carrier's system.

8. Claims **4-5** and **9-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilibin in view of Wheeler et al., Pub. No. US2002/0032623 A1, hereinafter referred to as Wheeler.

As per **Claim 4**, Bilibin fails to explicitly disclose that the unique sender generated identifier is in a barcode form. However, Wheeler discloses a label containing a bar code that along with the ID comprises a unique tag (0038). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Bilibin and include a barcode as taught by Wheeler, because it allows the system to encode pertinent information in machine-readable format.

As per **Claim 5**, Bilibin discloses wherein the mail item has a recipient address printed there on and the unique sender generated identifier is located on the mail item proximate the recipient address. (see Figure 58). In response to applicant's argument that the reference does not use the unique sender generated identifier to locate the recipient address, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

As per **Claim 9**, Bilibin discloses uniquely associating the uniquely associating the unique sender generated and unique carrier generated identifiers by storing them in a file (0449).

As per **Claim 10**, Bilibin fails to *explicitly* disclose reading the unique carrier generated identifier at a plurality of locations throughout the carrier distribution system, storing in the file a date stamp, a time stamp, and a location identifier each time the reading of the unique carrier generated identifier occurs, and associating in the file the date stamp, time stamp, and location identifier with the unique carrier generated identifier and the unique sender generated identifier. However, Bilibin discloses a package table storing Package Tracking State ID; Package Shipping State ID; Actual Delivery Time; Delivered To information; Shipping Date; Carrier Tracking Number; System Tracking Number; Carrier ID; Actual Package Weight; Service Description; and Package OID (0122). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Bilibin and include a variety of criteria matches for mail item status queries, because it allows the system user to make use of a

collection of mail item data to retrieve status information concerning the location of the mail item.

9. Claims **6-8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bilibin in view of Park et al., Pub. No. US2001/0010334 A1.

As per **Claim 6-8**, Bilibin fails to *explicitly* disclose wherein the unique sender generated identifier includes an address and further comprising the carrier obtaining the address from the unique sender generated identifier and supplying to the address information about the location of the mail item, wherein the unique sender generated identifier includes an electronic address and additional data that uniquely identifies the mail item. However, Bilibin discloses e-mail notification to the sender (0326). Furthermore, Park et al. teaches notifying the state in which the mail item is being processed on the E-mail address of a sender, so that the sender can know the processing procedure of the mail item (0012). Further, Park et al. teaches a user registering his/her zip code and E-mail address, etc. into a postal service server in the postal office and then inputting a zip code and name of the recipient. Then, the postal service server receives them to generate information frame to be printed on 4-state barcode and a code word for error correction and then transmits the formation frame and the code word to a barcode printing system to print a customer's barcode (0020). Moreover, Park teaches providing the customer with information during processing of a mail item (0011). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Bilibin and include generating information frame to be printed on 4-state barcode

using all of the above data as taught by Park et al., because it provides a considerable amount of information regarding the mail item and sender/recipient of the mail item onto the mail item, where the information is used to sort the mail item and notify the mail customer of the status of the mail item.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references

in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FADEY S. JABR whose telephone number is (571)272-1516. The examiner can normally be reached on Mon. - Fri. 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner
Art Unit 3628

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